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DATE: August 10, 2006

NUMBER OF PAGES: 18

TO: USPTO

FIRM/COMPANY: 571-273-8300

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FROM: Jennifer L. Martinez, Intellectual
Property Paralegal

DIRECT TELEPHONE NUMBER: 412.297.4731

CLIENT/MATTER NO.: 1751.0299

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NO. 252 P. 5

AUG 10 2006

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
01-180

In Re Application Of: Kevin A. Seiling et al.

| | | | | | |
|-------------------------------|---------------------------------|----------------------------|-----------------------|------------------------|--------------------------|
| Application No. 10/001,730 | Filing Date November 2, 2001 | Examiner Allan R. Kuhns | Customer No. 30058 | Group Art Unit 1732 | Confirmation No. 2670 |
|-------------------------------|---------------------------------|----------------------------|-----------------------|------------------------|--------------------------|

Invention: Composition for Making Extruded Shapes and a Method for Making Such Composition

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

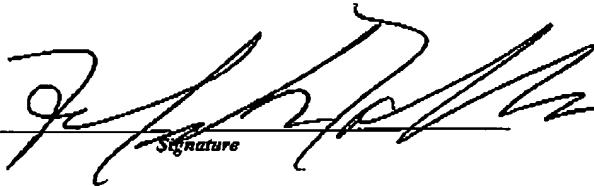
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



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Jennifer L. Martinez

Typed or Printed Name of Person Mailing Correspondence

P10CREV04

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NO. 252 P. 4

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(d))Docket No.
01-180

In Re Application Of: Kevin A. Seiling

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|------------------|------------------|--------------|----------------|------------------|
| 10/001,730 | November 2, 2001 | Kevin A. Seiling | 30058 | 1732 | 2670 |

Title: A Composition for Making Extruded Shapes and a Method for Making Such Composition

Address to:
Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(c), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

A check in the amount of _____ is attached.

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Dated: August 10, 2006

Signature

Frederick L. Tothurst, Esq.
USPTO Reg. No. 28,123
Cohen & Grigsby, P.C.
11 Stanwix Street, 15th Floor
Pittsburgh, PA 15222-1319
412-297-4900

CC:

P109/REV05

AUG 10 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Kevin A. Seiling)
)
Serial No. 10/001,730)
)
Filed: November 2, 2001)
)
Art Unit: 1732)
)
Patent Examiner: Kuhns, Allan R.)
)
Our Ref: 01-180)
)

A COMPOSITION FOR MAKING
EXTRUDED SHAPES AND A
METHOD FOR MAKING SUCH
COMPOSITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 10, 2006

TRANSMITTAL LETTER

In response to the "Order Returning Undocketed Appeal to Examiner" mailed August 1, 2006, a follow-up to a telephonic conversation with the Examiner of August 7, 2006, and a second telephonic conversation initiated by the Examiner on August 10, 2006, Applicant hereby submits that the Information Disclosure Statement filed April 25, 2006 was timely filed.

The Information Disclosure Statement filed April 25, 2006 contained prior art references cited by a foreign patent office in the International Preliminary Report on Patentability issued by the International Preliminary Examining Authority on April 14, 2006. Applicant electronically filed the Information Disclosure Statement on April 25, 2006, within the required three month timeframe. At the time of filing, Applicant inadvertently did not file the coversheet providing either the statement specified in 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p).

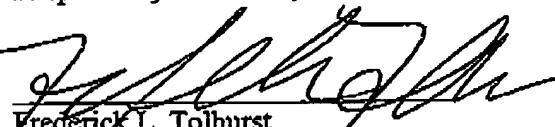
Serial No. 10/001,730
Transmittal Letter dated August 10, 2006

Applicant herewith submits the Transmittal of Information Disclosure Statement Under 37 CFR 1.97(d) along with the Statement Under 37 CFR 1.97(e) and a courtesy copy of the Information Disclosure Statement as filed on April 25, 2006, as requested by the Examiner. For purposes of clarity, Applicant hereby submits a copy of the original documents as filed August 7, 2006.

The Commissioner is hereby authorized to charge Deposit Account No. 03-2026 for any fees associated with this filing.

Respectfully submitted,

By:


Frederick L. Tolhurst
U.S. PTO Reg. No. 28,123
Cohen & Grigsby, P.C.
11 Stanwix Street, 15th Floor
Pittsburgh, PA 15222
(412) 297-4900

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Acknowledgement Receipt

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No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

| | |
|---|---|
| EFS ID | 1030226 |
| Application Number | 10001730 |
| Confirmation Number | 2670 |
| Title | Composition for making extruded shapes and a method for making such composition |
| First Named Inventor | Kevin A. Seiling |
| Customer Number or Correspondence Address | 30058 |
| Filed By | Frederick L. Tolhurst/Jennifer Martinez |
| Attorney Docket Number | 01-180 |
| Filing Date | 02-NOV-2001 |
| Receipt Date | 25-APR-2006 |
| Application Type | Utility |

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Application Details

| Submitted Files | Page Count | Document Description | File Size | Warnings |
|-------------------|------------|--|--------------|------------|
| Veka01-180IDS.pdf | 1 | Information Disclosure Statement (IDS) Filed | 117011 bytes | ⚠ WARNINGS |

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National Stage of an International Application under 35 U.S.C. 371

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NO. 252 Page 7 of 2

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/001,730 |
| Filing Date | November 2, 2001 |
| First Named Inventor | Kevin A. Seiling |
| Art Unit | 1732 |
| Examiner Name | Alian R. Kihns |
| Attorney Docket Number | 01-180 |

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

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U.S. Serial No. 10/001,730
Copy of Documents as Filed August 7, 2006

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NO. 252 P. 10 P. 1

* * * COMMUNICATION RESULT REPORT (AUG. 7. 2006 4:31PM) * * *

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NUMBER OF PAGES: 9

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Property Paralegal

DIRECT TELEPHONE NUMBER: 412.297.4731

CLIENT/MATTER NO.: 1751.0299

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kevin A. Seiling

Serial No. 10/001,730

Filed: November 2, 2001

Art Unit: 1732

Patent Examiner: Kuhns, Allan R.

Our Ref: 01-180

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A COMPOSITION FOR MAKING
EXTRUDED SHAPES AND A
METHOD FOR MAKING SUCH
COMPOSITIONCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 7, 2006

TRANSMITTAL LETTER

In response to the "Order Returning Undocketed Appeal to Examiner" mailed August 1, 2006, and in follow-up to a telephonic conversation with the Examiner of August 7, 2006, Applicant hereby submits that the Information Disclosure Statement filed April 25, 2006 was timely filed.

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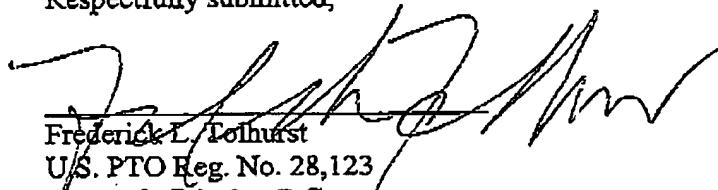
Serial No. 10/001,730
Transmittal Letter dated August 7, 2006

COPY

Applicant herewith submits the Transmittal of Information Disclosure Statement along with the Statement Under 37 CFR 1.97(e) and a courtesy copy of the Information Disclosure Statement as filed on April 25, 2006. The Commissioner is hereby authorized to charge Deposit Account No. 03-2026 for any fees associated with this filing.

Respectfully submitted,

By:


Frederick L. Tolhurst
U.S. PTO Reg. No. 28,123
Cohen & Grigsby, P.C.
11 Stanwix Street, 15th Floor
Pittsburgh, PA 15222
(412) 297-4900

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NO. 252 P. 13

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STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENTDocket No.
01-180

In Re Application Of: Kevin A. Seiling et al.

COPY

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|------------------|----------------|--------------|----------------|------------------|
| 10/001,730 | November 2, 2001 | Allan R. Knhns | 30058 | 1732 | 2670 |

Invention: Composition for Making Extruded Shapes and a Method for Making Such Composition

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

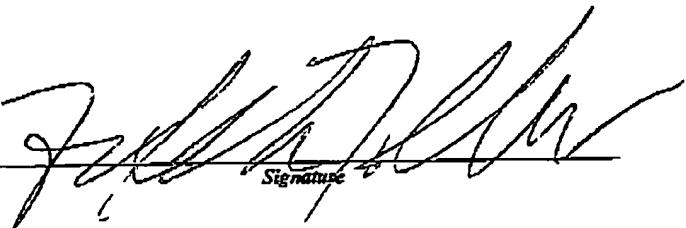
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


Signature

Dated: August 7, 2006

Frederick L. Tolhurst, Esq.
USPTO Reg. No. 28,123
Cohen & Grigsby, P.C.
11 Stanwix Street, 15th Floor
Pittsburgh, PA 15222-1319
412-297-4900

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Jennifer L. Martinez

Typed or Printed Name of Person Mailing Correspondence

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NO. 252 P. 14

AUG 10 2006

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))Docket No.
01-180

In Re Application of: Kevin A. Seiling et al.

COPY

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|------------------|----------------|--------------|----------------|------------------|
| 10/001,730 | November 2, 2001 | Allan R. Kuhns | 30058 | 1732 | 2670 |

Title: Composition for Making Extruded Shapes and A Method for Making Such Composition

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(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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August 7, 2006

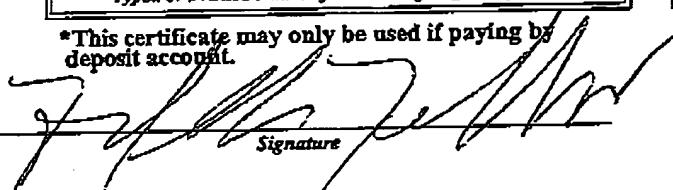
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Jennifer L. Martinez

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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
01-180

In Re Application Of: Kevin A. Seiling et al.

COPY

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|------------------|----------------|--------------|----------------|------------------|
| 10/001,730 | November 2, 2001 | Allan R. Kuhns | 30058 | 1732 | 2670 |

Title: Composition for Making Extruded Shapes and A Method for Making Such Composition

Address to:

Commissioner for Patents
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Alexandria, VA 22313-1450

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

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eFiled Application Information

| | |
|---|---|
| EFS ID | 1030226 |
| Application Number | 10001730 |
| Confirmation Number | 2670 |
| Title | Composition for making extruded shapes and a method for making such composition |
| First Named Inventor | Kevin A. Seiling |
| Customer Number or Correspondence Address | 30058 |
| Filed By | Frederick L. Tolhurst/Jennifer Martinez |
| Attorney Docket Number | 01-180 |
| Filing Date | 02-NOV-2001 |
| Receipt Date | 25-APR-2006 |
| Application Type | Utility |

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Application Details

| Submitted Files | Page Count | Document Description | File Size | Warnings |
|-------------------|------------|--|--------------|------------|
| Veka01-180IDS.pdf | 1 | Information Disclosure Statement (IDS) Filed | 117011 bytes | ⚠ WARNINGS |

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

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Substitution for Form 1449/PTD

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/001,730 |
| Filing Date | November 2, 2001 |
| First Named Inventor | Kevin A. Selling |
| Art Unit | 1732 |
| Examiner Name | Allan R. Kihns |
| Attorney Docket Number | 01-180 |

U. S. PATENT DOCUMENTS

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